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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DONALD E. MITCHELL, JR.,

Plaintiff,

vs.

STATE OF NEVADA, et al,

Defendants.

Case No. 2:17-cv-00686-APG-DJA

**UNOPPOSED MOTION TO EXTEND
DEADLINE TO FILE THE PARTIES'
JOINT STIPULATION TO REOPEN
DISCOVERY AND RESET DEADLINES
(FIRST REQUEST)**

Plaintiff Donald E. Mitchell, Jr. ("Mitchell") by and through his counsel, Diana S. Ebron, Esq., of the law firm of Kim Gilbert Ebron, hereby files the instant unopposed motion to extend the current October 5, 2021 deadline to file the Parties'¹ joint stipulation to reopen discovery and resent deadlines by two (2) day, to October 7, 2021. This is the first request to extend this deadline.

MEMORANDUM OF POINTS AND AUTHORITIES

On September 24, 2021, the Court entered its order granting in part Mitchell's motion for reconsideration.² As part of that order, the Court directed that the Parties file a stipulation to reopen discovery and resent deadlines consistent with their January 8, 2021 joint status report.³

The Parties met and conferred on October 1, 2021 in order to prepare the joint stipulation, and the draft has been circulated today, October 5, 2021. However, the requested extension has become necessary because Defendants' counsel has only recently been assigned to the case, and has been occupied all day in a mandatory training course, to be followed by an evening doctor's

¹ Plaintiff Mitchell and Defendants Carrie Alvarado, Timothy Filson, Jerry Howell, Bianca Knight-Groover, Dwight Neven, and Perry Russell ("Defendants") are collectively referred to herein as the "Parties".

² [ECF No. 80].

³ *Id.* at 8:6-8; *see also* [ECF No. 69].

1 appointment. The Parties met and conferred today by telephone, and Defendants' counsel,
2 Alexander J. Smith, Deputy Attorney General, has indicated that he does not oppose the instant
3 motion. The additional time is necessary to properly finalize the stipulation.

4 Therefore, based on the foregoing, the Parties respectfully request that the deadline to file
5 the Parties' joint stipulation to reopen discovery and reset deadlines be extended by two (2) days,
6 to October 7, 2021.

7 Dated this 5th day of October, 2021.

KIM GILBERT EBRON

8 /s/ Diana S. Ebron

9 Diana S. Ebron, Esq.

10 Nevada Bar No. 10580

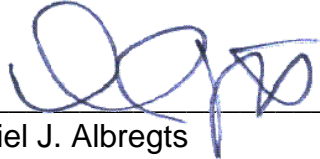
11 7625 Dean Martin Drive, Suite 110

12 Las Vegas, Nevada 89139

13 *Attorneys for Donald E. Mitchell, Jr.*

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15 **IT IS SO ORDERED.**

16 DATED: October 7, 2021

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18 Daniel J. Albregts

19 United States Magistrate Judge

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2021, pursuant to FRCP 5, I served via the CM/ECF electronic filing system the foregoing **UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE THE PARTIES' JOINT STIPULATION TO REOPEN DISCOVERY AND RESET DEADLINES (FIRST REQUEST).**

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/s/ Alexander Loglia

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